This document was signed electronically on March 14, 2017, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: March 14, 2017

ALAN M. KOSCHIK
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re: Howard Seeden and Michelle D. Seeden, Debtors.	Case No. 16-52228 (AMK) Chapter 7 Judge Alan M. Koschik

JOINT STIPULATION AND ORDER
DIRECTING DEBTORS' COUNSEL TO REFUND LEGAL FEES

Now comes Tiiara N. A. Patton, trial attorney for Daniel M. McDermott, the United States Trustee for Region 9 ("United States Trustee"), and Warner Mendenhall ("Attorney Mendenhall"), counsel for Howard Seeden and Michelle D. Seeden (collectively, the "Debtors") and in support of this stipulation ("Stipulation") the parties state the following:

Recitals

A. On September 12, 2016 (the "Petition Date"), the Debtors filed their joint voluntary chapter 7 petition in the above-captioned case and their schedules (the "Schedules") and statement of financial affairs (the "SOFA").

B. The Debtors' Schedules provided that the Debtors' monthly gross income is $3,362.67 (Docket No. 1). *See* Docket No. 1. However, the Debtors' means test provided that the Debtors' monthly gross income is $3,125. *Id*. After reviewing the Debtors' pay advices, it appears that the Debtors' monthly gross income is actually $5,518. *See* Docket No. 4. The Debtors' testified that they were unclear regarding how their income was calculated on the means test.

C. As a result of the foregoing, the United States Trustee filed the *Motion of United States Trustee for an Entry of an Order Pursuant to Rules 1017(e)(1) and 4004(b) of the Federal Rules of Bankruptcy Procedure Extending the Time to File a Motion to Dismiss or File a Complaint Objecting to Discharge*, which provided the United States Trustee with additional time to investigate whether the Debtors' case is appropriate for a motion to dismiss in accordance with 11 U.S.C. § 707(b) or a complaint objecting to discharge. *See* Docket No. 15. In response to the United States Trustee's request, the Debtors provided the United States Trustee with documentation regarding the Debtors' income and the Legal Fees.

D. On March 1, 2016, the Debtors amended their Schedules, including Schedule I: Your Income. *See* Docket No. 26. According to the Debtors' amended *Schedule I: Your Income* provides that the Debtors' monthly gross income is $5,670. *Id*.

E. By consenting to this Stipulation and Order, Attorney Mendenhall makes no admissions of any fact except those contained in the Recitals.

NOW THEREFORE, the parties hereto hereby stipulate and agree that:

1. Attorney Mendenhall shall refund to the Debtors Five-Hundred and Thirty-Two Dollars ($532.00) of the legal fees the Debtors paid to him and his firm within fourteen (14) days from the date of entry of this Stipulation.

2. Attorney Mendenhall shall file with the Court a certification of payment to the Debtors along with substantiating documentation within fourteen (14) days from the date of entry of this Stipulation.

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DANIEL M. MCDERMOTT
UNITED STATES TRUSTEE, REGION 9

By: *_/s/ Tiiara N. A. Patton_*
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THE LAW OFFICES OF WARNER MENDENHALL

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Counsel for the Debtors

Certificate of Service

The Clerk hereby certifies that a copy of the foregoing Order was served upon the following parties in the manner indicated:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Warner Mendenhall warnermendenhall@gmail.com
- Dynele L. Schinker-Kuharich ecf-filings@schinker-kuharich.com, dschinker-kuharich@ecf.epiqsystems.com;dls@trustesolutions.net
- United States Trustee (Registered address)@usdoj.gov

Via Regular United States Mail, postage pre-paid:

Recovery Management Systems Corporation
25 SE 2nd Avenue Suite 1120
Miami, FL 33131-1605